

STATE OF NEW JERSEY  
STATE ETHICS COMMISSION  
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STATE OF NEW JERSEY  
STATE ETHICS COMMISSION  
COMMISSION CASE NO. 56-16

IN THE MATTER OF  
ALBERT STABILE,  
Member, State Board of Chiropractic  
Examiners,  
Division of Consumer Affairs,  
Department of Law & Public Safety

Administrative Action  
CONSENT ORDER

WHEREAS, the State Ethics Commission ("Commission") is authorized to initiate, receive, investigate, review and hear complaints regarding violations of the New Jersey Conflicts of Interest Law, *N.J.S.A. 52:13D-12 et seq.* ("Conflicts Law"), applicable rules of the Commission, *N.J.A.C. 19:61-1.1 et seq.*, the Uniform Ethics Code, and any agency code of ethics, by any State officer or employee or special State officer or employee; and

WHEREAS, this matter was brought before the Commission by a complaint filed with the Commission; and

WHEREAS, the Commission investigated the matters and issues raised by the complaint; and

WHEREAS, the Commission and Dr. Albert Stabile ("Dr. Stabile") desire to enter into a final and complete resolution of all the matters and issues raised thereby;

IT IS THEREFORE agreed by the parties as follows:

1. Dr. Stabile has been a practicing chiropractor since 1971 and has been a member of the State Board of Chiropractic Examiners ("Board") since January 2003.

2. As a member of the Board, Dr. Stabile is a special State officer bound by the Conflicts Law, Uniform Ethics Code and all applicable rules of the Commission.

3. One function of the Board is to investigate complaints that chiropractors have broken the State's consumer protection laws, including allegations of fraud, professional/occupational misconduct, incompetence and recordkeeping. If, based on an investigation, the Board finds sufficient evidence that a chiropractor has violated State laws or regulations, it can file formal charges against the chiropractor.

4. During an investigation of alleged wrongdoing or the pursuit of formal charges against a chiropractor by the Board, the matter is confidential. The Board is not permitted to disclose information regarding pending investigations or charges until a final determination has been made in the matter.

5. Independent chiropractic examinations ("ICEs") and other independent third-party reviews may be conducted to determine the cause, extent and medical treatment of a work-related or other injury where liability is at issue; whether an individual has reached maximum benefit from treatment; and whether any permanent impairment remains after treatment. An ICE or third-party review may be conducted at the behest of an employer or an insurance carrier to obtain an independent opinion of the clinical status of the individual.

6. On or about September 27, 2016, Dr. Stabile sent letters to two review companies requesting that they not assign any ICEs or third-party reviews of Dr. Stabile's patients to chiropractors identified in the letters because the identified chiropractors had active charges or investigations pending with the Board. At the time Dr. Stabile sent the letters, the existence of Board investigations or charges regarding the chiropractors had not been made public and was confidential.


7. In each of the letters to the review companies, Dr. Stabile stated that he is a member of the Board and that he trusts the letter "will suffice and the necessary changes will be made." Dr. Stabile copied his personal attorney on the letters.

8. It is the Commission's position that Dr. Stabile violated section 23(e)(7) of the Conflicts Law by seeking to use his position as a member of the Board to prevent specific chiropractors from reviewing his patients' cases. It is also the Commission's position that Dr. Stabile violated section 25 of the Conflicts Law by disclosing confidential Board information.

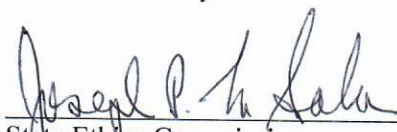
9. It is Dr. Stabile's position that he was acting in the best interest of his patients.

10. In consideration of the above, Dr. Stabile agrees to pay a civil penalty in the amount of \$4,500.00, payable to Treasurer, State of New Jersey.

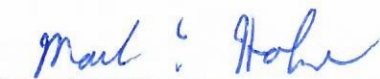
11. The parties agree to enter into this Consent Order in settlement of all matters and issues that are involved herein.

  
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Albert Stabile

Dated: 5/29/18

  
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State Ethics Commission  
By: Joseph P. LaSala, Chair

Dated: 6/12/2018

  
\_\_\_\_\_  
State Ethics Commission  
By: Mark T. Holmes,  
Acting Executive Director

Dated: 6/12/18